

Wilson, No. 2:20cv2061, 2020 U.S. Dist. LEXIS 72228, 2020 WL 1977392, at *2 (W.D. Ark. Apr. 24, 2020)).

As with many other courts reviewing Clervrain's cases, the court is unable to determine what cause(s) of action Clervrain is alleging against the named defendant or what relief he seeks. See Fed. R. Civ. P. 8(a) ("A pleading . . . must contain: (1) a short and plain statement of the grounds for the court's jurisdiction, . . . ; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought."); *see also Clervrain v. Rosado*, No. 1:20-CV-0389-TJM-CFH, 2020 U.S. Dist. LEXIS 137316, 2020 WL 4434867 (N.D.N.Y. Aug. 3, 2020) ("The Court is unable to discern what facts or claims Plaintiff seeks to present in his complaint, whether the Court has jurisdiction over the action, whether the Northern District of New York is the proper venue for this action, what parties Plaintiff seeks to include as defendants, whether Plaintiff has commenced identical actions in other federal courts, whether the named-defendant is a proper party in this action, and the time-frame for any alleged violations of any federal rights or laws, and thus the complaint must be dismissed."); *Clervrain v. Sanyer*, No. 1:20-CV-348, 2020 U.S. Dist. LEXIS 109561, 2020 WL 3424893 (W.D. Mich. June 23, 2020) (same).

Where a complaint "lacks an arguable basis . . . in law," the court may dismiss it *sua sponte* as frivolous or for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B). *Neitzke v. Williams*, 490 U.S. 319, 325, 328 (1989). Legally frivolous claims are those claims based on an "indisputably meritless legal theory" and include "claims of infringement of a legal interest which clearly does not exist." *Adams v. Rice*, 40 F.3d 72, 75 (4th Cir. 1994) (quoting *Neitzke*, 490 U.S. at 327). Finding that Clervrain's complaint is legally frivolous and fails to allege any

facts which would state a cognizable federal claim against the named defendant, the court will dismiss Clervrain's complaint without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B).

ENTERED this 13th day of November, 2020.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE